

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

BEDIS ZORMATI,

Plaintiff

v.

MICHAEL MUKASEY, U.S. Attorney General,
MICHAEL CHERTOFF, Secretary,
US Department of Homeland Security,
EDUARDO AGUIRRE, Director,
US Citizenship & Immigration Services;
ANDREA J. QURANTILLO, Field Office Director,
New York, US Citizenship & Immigration Services;
RUTH DOROCHOFF, Field Office Director, Chicago,
US Citizenship & Immigration Services.

Defendant(s)

-----X

COMES NOW Bedis Zormati, Plaintiff in the above captioned action, and for his cause of action against the defendants alleges the following:

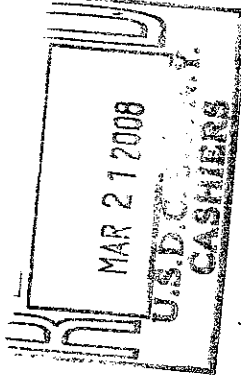
INTRODUCTION

1. This is an individual action under the Mandamus Act and the Administrative Procedures Act to compel Defendants to act on the Petition for alien relative (I-130) and the Petition for adjustment of status(I-485) properly and concurrently filed by the Plaintiff on December 11, 2006. The applications were filed and remain within the jurisdiction of the Defendants, who have improperly withheld action on said application to Plaintiff's detriment.

JUDGE SPRITZ

Case No. 08 CV 2959

MANDAMUS COMPLAINT



COPY RECEIVED

MAR 21 2008

U.S. ATTORNEY'S SDNY

PARTIES

2. Plaintiff Bedis Zormati is a 33 year old native and citizen of Tunisia. He entered the United States August 15, 2000 as a visitor and is a resident of the State of New York. Since his arrival in 2000, Plaintiff was lawfully employed by New York Life Insurance Company. He was initially authorized employment under the terms of his application for adjustment of status to that of a Lawful Permanent Resident based upon a marriage to a U.S. Citizen. Upon filing for lawful permanent resident status in 2001 and re-filing in 2006, he was been employed as authorized by federal regulation. 8 CFR §274a.12(c)(9). However, to date, USCIS failed to re-authorize his employment authorization or adjudicate his petitions for alien relative and adjustment of status concurrently filed.
3. Defendant Michael Mukasey, is the Attorney General of the United States, and this action is brought against him in his official capacity. He is generally charged with enforcement of the Immigration and Nationality Act, and is further authorized to delegate such powers and authority to subordinate employees of the Department of Homeland Security 8 USC §1103(a). More specifically, the Attorney General is responsible for the adjudication of applications for adjustment of status filed pursuant to §245 of the Immigration and Nationality Act (INA), 8 USC §1255. The United States Citizenship & Immigration Service is an agency within the Department of Homeland Security to whom the Attorney General's authority has in part been delegated, and is subject to the Attorney General's supervision.
4. Defendant Michael Chertoff, is the Secretary of the United States Department of Homeland Security , and this action is brought against him in his official capacity. He is

statutorily charged with enforcement of the Immigration & Nationality Act and is further authorized to delegate such powers and authority to subordinate employees of the Citizenship & Immigration Services. 8 § U.S.C. 1103(a). More specifically, the Secretary of the Department of Homeland Security is responsible for the adjudication of applications by foreign nationals married to U.S. citizens, such as Plaintiff, to adjust status to a lawful permanent resident. The Citizenship & Immigration Service is an agency within the Department of Homeland Security, to whom the Secretary's authority has, in part, been delegated, and is subject to the Secretary's supervision.

5. Defendant Eduardo Aguire is the Director of United States Citizenship & Immigration Service and is an official of the United States Citizenship and Immigration Service (USCIS) generally charged with authority over all operations of the USCIS. 8 CFR §103.1(g)(2)(ii)(B).
6. Defendant Andrea Quarantillo, is the United States Citizenship & Immigration Service New York Field Office Director and is an official of the United States Citizenship and Immigration Service (USCIS) and generally charged with supervisory authority over all operations of the USCIS within her District with certain specific exceptions not relevant here. 8 CFR §103.1(g)(2)(ii)(B). As will be shown, Defendant Field Office Director is the official with whom Plaintiff's application for lawful permanent resident status were properly filed.
7. Defendant Ruth Dorochoff is the, United States Citizenship & Immigration Service Chicago Field Office Director, and in this action is named in her official capacity as an official of the United States Citizenship and Immigration Service (USCIS) generally

charged with supervisory authority over all operations of the USCIS within her District with certain specific exceptions not relevant here. 8 CFR §103.1(g)(2)(ii)(B). As will be shown, Defendant Field Office Director is the official with whom Plaintiff's application for lawful permanent resident status were properly filed.

JURISDICTION

8. Jurisdiction in this case is proper under 28 USC §1331, federal question, 28 U.S.C. § 1361, mandamus statute and 28 USC § 1346(a)(2), the court has personal jurisdiction over officials and agencies of the United States. Relief is requested pursuant to said statutes.

VENUE

9. Venue is proper in this court, pursuant to 28 USC §1391(e), in that this is an action against officers and agencies of the United States in their official capacities, brought in the District where a Defendant resides and where a substantial part of the events or omissions giving rise to Plaintiff's claim occurred. More specifically, Plaintiff's applications, Petition for Alien Relative (I-130) and for Adjustment of Status (I-485) were properly filed and, to Plaintiff's knowledge, remain pending with the New York Field Office Director.

EXHAUSTION OF REMEDIES

10. Plaintiff has exhausted his administrative remedies. Plaintiff has, personally and through his attorney, made numerous written and oral inquiries concerning the status of the applications to no avail.

CAUSES OF ACTION

11. On February 5, 2001, Plaintiff filed an I-130, petition for alien relative and filed a I-485 for adjustment of status to lawful permanent resident with the Defendant Chicago Field Office Director. Attached hereto as Exhibit "A" is a copy of the receipt dated February 5, 2001 and letter dated February 12, 2001 acknowledging receipt of the application and confirmed that such applications were being adjudicated by the Defendant Field Office Director in a period of twenty six months.
12. On July 13, 2001, the Plaintiff notified the Defendant Chicago Field Office Director of his change of address to New York. Attached hereto as Exhibit "B" is a copy of the said acknowledgment.
13. On August 24, 2001, Defendant Chicago Field Office Director sent an appointment notice advising the Plaintiff of his adjustment of status interview on September 20, 2001 to his previous address even though the Plaintiff advised them that he had changed his address on July 13, 2001. Attached hereto as Exhibit "C" is a copy of the appointment letter.
14. On or about September 13, 2001, the Defendant Chicago Field Office Director did in fact prepare the following documents: Adjustment Interview Results Sheet, Notice of Grant of Permanent Residency Status to the Plaintiff, Request for a Visa Petition, which documents are attached hereto as Exhibit "D".

15. On September 20, 2002, The Chicago Field Office Director sent a letter to the Plaintiff that his case was being transferred to the New York District Office. Attached hereto as Exhibit "E" is a copy of said letter.
16. On October 03, 2002, the Defendant Chicago Field Office Director did in fact issue a notice to the Plaintiff advising him that," production of your Permanent Resident card has been delayed due to address changes"and that he should receive his resident green card within sixty (60) days of the said letter. Attached hereto as Exhibit "F" is a copy of the said letter.
17. To date Plaintiff did not receive his permanent resident card and the Defendant Chicago Field Office Director has not advised the Plaintiff where and when his permanent residence card could be obtained.
18. On February 11, 2004, INS scheduled an interview in Garden City for Adjustment of Status. Attached hereto as Exhibit "G" is a copy of the appointment letter.
19. On March 29, 2004, the USCIS scheduled an adjustment of status interview at 26 Federal Plaza Attached hereto as Exhibit "H" is a copy of the said notice.
20. Plaintiff attended all of the interviews and provided all of the required additional documents and was patiently awaiting a decision on the applications.
21. On December 11, 2006, not having received any decision, Plaintiff filed a new I-130 application and a new I-485 application with the Defendant New York Field Office Director. At the time of said filing, such applications(I-130 Petition for Alien Relative / I-485 Adjustment of Status) were being adjudicated by the Defendant Field Office Director in a period of also between three and nine months. Attached hereto as Exhibit "I" is a copy of the receipt notice dated December 14, 2006.

22. On January 12, 2007 defendant USCIS issued a notice for an initial interview for March 7, 2007 at 8:15a.m. Attached hereto as Exhibit "J" is a copy of the interview notice.
23. On March 20, 2007, the additional evidence requested by officer Kushel was provided by Next Day Delivery using DHL Service and waybill# 20682235954. Attached hereto as Exhibit "K" is a copy of the cover letter and the DHL airway bill.
24. Plaintiff's applications, petition for alien relative and adjustment of status (concurrently filed) have now remained unadjudicated for well over 15 months.
25. As of March 18, 2008, the United States Citizenship & Immigration Services is currently processing case submitted in April 2007. Attached hereto as Exhibit "L" is a copy of the processing dates from the USCIS website.
26. Defendants have sufficient information to determine Plaintiff's eligibility pursuant to applicable requirements, however, to date the I-130 (Petition for Alien Relative) and I-485 (Adjustment of Status) applications have not been adjudicated.
27. Defendants' refusal to act in this case is, as a matter of law, arbitrary and not in accordance with the law. Defendants willfully, and unreasonably, have delayed in and have refused to, adjudicate Plaintiff's applications since December 11, 2006, thereby depriving him of the right to a decision on his status and the peace of mind to which Plaintiff is entitled.
28. Plaintiff has been greatly damaged by the failure of Defendants to act in accord with their duties under the law and consequently lost his work authorization.
 - (a) Specifically, Plaintiff Mr. Zormati is required to travel internationally in performing his duties as an insurance broker as a number of his clients reside overseas. So long as his application for adjustment of status is pending, his travel

is restricted by federal regulation which requires special permission to travel abroad (“advanced parole”) during the pendency of such applications. 8 CFR §245.2(a)(4). Departure without the advanced parole would be deemed an abandonment of the permanent resident application. *Id.* Plaintiff has therefore been forced to repeatedly apply (and pay) for this special travel permission, and unable to travel while said advanced parole applications have been pending.

(b) Plaintiff has further been damaged in that his employment authorization is tied to his status as applicant for permanent residency, and is limited to increments not to exceed one year. 8 CFR §274a.12(c)(9).

29. The Defendants, in violation of the Administrative Procedures Act, 5 USC §701 *et seq.*, are unlawfully withholding or unreasonably delaying action on Plaintiff’s application and have failed to carry out the adjudicative functions delegated to them by law with regard to Plaintiff’s case.
30. Plaintiff has made numerous status inquiries in an attempt to secure adjudication of his application, all to no avail. Accordingly, Plaintiff has been forced to retain the services of an attorney to pursue the instant action.
31. Under 28 USC §, Defendants owe Plaintiff a duty to adjudicate his Petition. Defendants have breached that duty by failing to adjudicate Plaintiffs Petition within a reasonable period of time;
32. Under 5 USC § 551 *et. seq.*; Plaintiff has been aggrieved by the Defendants’ unlawful delay in acting upon Plaintiffs Petition and have failed to carry out the adjudicative functions delegated to them by law within a reasonable time. In doing so, they have

deprived Plaintiff of the benefits of attaining lawful permanent resident status and have caused undue hardship on his spouse a United States Citizen.

33. Under 5 USC § 551 et. seq., Defendants owe Plaintiff a duty to adjudicate his Petition within a reasonable time frame. Defendants have breached that duty by unreasonable delaying the processing of Plaintiff's Petition, thus depriving Plaintiff of the benefits of attaining lawful permanent resident status.

34. Under 5 USC § 551(b), Defendants have failed to conclude a matter that has been presented to them within a reasonable time. Plaintiff deems his originally submitted his application in 1996 and again in December 2006 to be an unreasonable amount of time.

WHEREFORE, in view of the arguments and authority noted herein, Plaintiff respectfully pray that the Defendants be cited to appear herein and that, upon due consideration, the Court enter an order:

- a. compelling Defendants to adjudicate Plaintiff's Petition for alien relative and adjustment of status; which adjudication has been unreasonably delayed;
- b. award reasonable attorney fees; and
- c. grant such other order and further relief as this Court deems just and proper.

Date: March 20, 2008
Astoria, N.Y.

Respectfully submitted,
DROBENKO & ASSOCIATES, P.C.



Walter Drobenko, Esq. (WD3552)
Attorney for the Plaintiff
25-84 Steinway Street
Astoria, N.Y. 11103
Ph-(718)721-2000
Fax-(718) 721-8812



Immigration & Naturalization Service
10 West Jackson Boulevard
Chicago, Illinois 60604

INS
CHICAGO, ILL.

02/12/01

Bedis Zornati
6325 N. SHERIDAN ROAD APT#1808
CHICAGO, ILL 60660

02/05/01

00004
ZORNATI BEDIS #
DOB 5 26 74 #
I-465 H-Q SUPP
F-256 220.00
I-765 25.00
I-131 100.00
SUBTT. 115.00
CHICA 425.00
4 7783

Dear Applicant,

We have received your application for lawful permanent residence in the United States receipt date is 02-05-01. We currently have approximately 26 months from receipt date to interview approximately two months prior to your appointment date. The appointment letter will advise you needed at the time of interview.

FURTHER:

- A) If you applied as a family, all members of the family must be present at the interview.
- B) If you are a diversity lottery winner, and do not receive an appointment for prints and interview month after receipt of this letter, contact the office immediately, make a copy of this letter, and if you are a DV case and have not received your appointment for interview. Your adjustment must be completed before September 30th of the filing year.
- C) If you are filing as a child, under 21 years of age, and will reach your 21st birthday before the backlog period is reached, please notify this office IMMEDIATELY, in order that the application be processed timely.

If you have filed for a work authorization card, you will receive an appointment letter for the initial within 90 days. If you choose to file for employment authorization at a later date, you must submit Form I-765. Request for work authorization by mail. Employment Authorization will not be issued on a walk-in basis. Please send the completed I-765 with proper fee to the following address:

U.S. Immigration and Naturalization Service
P.O. Box A3462, Chicago, Illinois 60690-3462
Attn: EAD

Since you have an application for adjustment pending and need to travel outside of the United States, you must file form I-31. Permission to travel is not an automatic grant. If at the time you file the application for residency, you were out of status or illegally in the United States for 6 months or longer, advance parole **WILL NOT BE GRANTED**. If the application is filed and you are denied, the filing fee is not refundable.

If you do not fall into either category B or C, please do not inquire about the status of your application prior to the backlog period mentioned. It will only further delay the processing time. Any ADDRESS CHANGES should be mailed with a copy of this letter to U.S. INS, P.O. Box A3462, Chicago, Illinois 60690-3462.

Sincerely,

Brian R. Perryman
District Director

AZULAY, HORN, VILLASUSO & YOO
ONE EAST WACKER DRIVE, SUITE 2700
CHICAGO, ILL 60601

0552 001 002 12:34
THANK YOU

BEDIS ZORMATI

July 13, 2001

USINS Chicago District Office
Attn. Brian R. Perryman
10 West Jackson Boulevard
Chicago, IL 60604

Dear Sir or Madam:

RE: **CHANGE OF ADDRESS**

Name: Bedis Zormati

A078297325

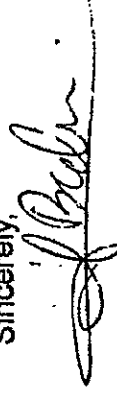
OLD ADDRESS:

6325 N. Sheridan Rd. Apt 1808
Chicago, IL 60660

NEW ADDRESS:

100 Pelham Rd. Apt 5F
New Rochelle, NY 10805

Sincerely,



Bedis Zormati

100 PELHAM RD APT 5F
NEW ROCHELLE, NY 10805



U.S. Department of Justice
Immigration and Naturalization Service

539 South LaSalle Street,
Chicago, Illinois 60605

DATE: August 24, 2001

FILE NUMBER: A78297325

BEDIS ZORAMATI
6325 N. SHERIDAN RD., APT. 1808
CHICAGO, IL 60660
Examiner # 1

APPOINTMENT NOTICE

You are scheduled for an interview on your application, I-485 to adjust status to that of lawfully admitted for permanent residence. Please appear at the INS Office, 10 West Jackson Street, Chicago, IL on 9/20/01 at 11:20:00 AM.

Please read this notice carefully and follow the instructions below:

- Comply with the attached "ADJUSTMENT INTERVIEW DOCUMENTARY REQUIREMENTS"
All original documents submitted will not be returned unless you bring copies to the interview.
- Your petitioner must accompany you to the interview.
- You must bring evidence of your legal entry into the United States including your passport and form I-94. You and your petitioner must bring photo identification. If your petitioner is a Permanent Resident, he or she must bring their Alien Registration Card.
- If you do not speak English, an adult (other than a family member), who can act as an interpreter, must accompany you to the interview. If you require a sign language interpreter please notify us immediately at TDD (312) 385-1813.

Failure to appear for the scheduled interview will be deemed an abandonment of the application and will result in a denial of the application pursuant to 8 CFR 103.2(b)(13). Also, failure to bring the documents requested of you as indicated on the attached "Adjustment Interview Documentary Requirements" may result in denial of the application due to lack of prosecution.

Sincerely,

Brian R. Perryman
District Director

C: AZULAY, HORN, VILLASUSO & YOO
1 EAST WACKER DR., SUITE 2700
CHICAGO, IL 60601

Memorandum

Subject	Date
REQUEST FOR VISA PETITION	09/13/2001

To	From
[] NATIONAL VISA CENTER 32 ROCHESTER AVENUE PORTSMOUTH, NH 03801-2909	I.N.S 10 WEST JACKSON BLVD. CHICAGO, ILLINOIS 60604 ATTN: 245 EXAMS BRANCH
[] FILE MAINTENANCE UNIT	

[] AMERICAN EMBASSY/CONSULATE

THE BENEFICIARY LISTED BELOW IS NOW AN APPLICANT FOR ADJUSTMENT OF STATUS AT THIS OFFICE. PLEASE FORWARD THE APPROVED I-130/I-140/I-360 VISA PETITION FOR THE FOLLOWING PERSON:

ne: ZORMATI, BEDIS	City of Birth: TUNIS	Date of Birth: 05/20/74
ript Number:	Country of Birth: TUNIS	Adjustment Class:
'Number: A 78 297 325		

ESK

C/U DATE 09/13/2001

THANK YOU FOR YOUR ASSISTANCE IN THIS MAT

U.S. DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
10 WEST JACKSON BOUVELEARD
CHICAGO, ILLINOIS 60604

BEDIS ZORMATI

6325 N. SHERIDAN RD. , APT. 1808
CHICAGO, IL 60660

Date: 09/13/2001
A: 78 297 325
Approval Date:
Adj. Class:

DEAR SIR OR MADAM

Please be advised that you have been granted permanent resident alien status as of ____/____/____. This letter should not be regarded as proof of that status. You are being processed for an alien registration card which will be mailed to you at the above address within the next few months. If you move from that address prior to receiving the card, please notify this office by mail of your new address. If you require proof of your status in order to travel, accept employment or other reason, you may come to one of our offices listed below for a temporary stamp. Bring this letter and your passport with you.

Representative notified: BEDIS ZORMATI

SINCERELY YOURS

BRIAN R. PERRYMAN
DISTRICT DIRECTOR

047



IMMIGRATION & NATURALIZATION SERVICE
10 WEST JACKSON BLVD. Rm. 333 CHICAGO IL 60604

ADJUSTMENT INTERVIEW RESULTS

Dear Sir/Madam:

A#:

On _____, you were interviewed by INS Officer _____ and were informed that:

- ☐ Your application for adjustment is pending for fingerprint clearance. As soon as the prints clear, a decision will be made.
- ☐ Your application for adjustment is continued for insufficient documentation, please submit the following documents within _____ days. If you fail to comply, no further action will be taken, and your application may be denied. Please submit all requested documents to the above Officer and address. Documents requested of you are:

1. _____
2. _____
3. _____
4. _____

- ☐ Your application is currently under further review, a written decision will be issued as soon as the review is completed.
- ☐ You will be notified for another interview in order to complete the adjudication of your application.
- ☐ Your attorney or legal representative did not appear with you at the interview, you requested to be rescheduled. You and your attorney or legal representative will receive a notice for the next appointment.
- ☐ The Service could not make a decision on the application because the Petitioner/Beneficiary did not appear for the interview as required. You will be notified for the next interview during which the Petitioner/Beneficiary must appear.
- ☐ You chose to withdraw the Petition/Application at the interview.
- ☐ No visa number was available at the time of filing, therefore you are statutorily ineligible for adjustment.
- ☐ Visa number was available at the time of filing, but you turned 21 before the interview date which subjects you to a different immigration classification requiring visa allocation currently unavailable. Your application is being held in abeyance until such time a visa number becomes available under the new classification. You are entitled to employment authorization and possibly entitled to permission to travel on Advance Parole, provided that all requirements are met.
- At the time of interview, the Service A-file was either unavailable or had not been transferred from another INS office. You will be notified of the decision once the file is located.

Congratulations! Your application is approved.

- ☐ Your approval letter is attached.
- ☐ You will receive the following in the mail:
1. An approval letter
 2. An appointment letter which requests you to bring your passport for issuance of a temporary stamp as evidence of your approved permanent resident status.

Your file will be forwarded to the Northern Service Center in Lincoln, Nebraska for creation of your green card.

Other Officer comments: _____

It is very important that you:

Notify INS if you change your address.

Come to any scheduled interview.

Submit all requested documents.

Send any questions about this application in writing to the officer named above, include a copy of this letter.

Check visa bulletin to see if a visa number is available.

File EAD extension for employment authorization and Advance Parole for traveling while case is pending.

(except for I-751 Petition and other pending applications)



DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

CHI 70/48.2-C

10 West Jackson Boulevard
Chicago, IL 60604

SEP 20 2002

A78 297 325

Bedis Zormati
100 Pelham Road, Apt. 6D
New Rochelle, NY 10805

Dear Bedis Zormati:

RE: File Transfer

Thank you for your recent correspondence received at this office on 09/05/2002.

Your alien registration file has been transferred to the New York District Office as requested. Please allow 30 - 45 days for the records to arrive before submitting an inquiry directly to that office.

Sincerely,

Brian R. Perryman
District Director



U.S. Department of Justice
Immigration and Naturalization Service

CHI 70/48.2

10 West Jackson Blvd.
Chicago, Illinois 60604

OCT 03 2002

Mr. Bedis Zormati
100 Pelham Road, Apt 6D
New Rochelle, NY 10805

Dear Mr. Zormati:


This is in response to your inquiry with the Office of Internal Audit.

Your file is currently located at the Nebraska Service Center. The production of your Permanent Resident card has been delayed due to address changes. Service records indicate that you were notified on February 19, 2002 to appear at the Chicago District office for I-89 adit processing. You appeared for the processing and all paperwork was forwarded to the Nebraska Service Center where your card is currently in production.

If you have not received your resident card within 60 days from the date of this letter, please contact Supervisory District Adjudications Officer Rose Cavazos at (312) 385-1822.

Thank you for the opportunity to assist you in this matter.

Sincerely,


Brian R. Perryman
District Director



U. S. Department of Justice
Immigration and Naturalization Service
711 Stewart Avenue
Garden City, NY 11530

Bedis ZORMATI
100 Pelham RD Apt 6D
New Rochelle, NY 10805

File Number: A78297325

Date: 1/20/2004

Please come to the office shown below at the time and place indicated in connection with an official matter.

OFFICE LOCATION	711 STEWART AVE. GARDEN CITY, NY 11530	Room No. Sec.245	Floor No. 2ND
DATE AND HOUR		2/11/2004	7:30:00 AM
ASK FOR		DISTRICT ADJUDICATION OFFICER	
REASON FOR APPOINTMENT		ADJUSTMENT OF STATUS	
BRING WITH YOU		SEE ATTACHMENTS	

NON-ENGLISH SPEAKING APPLICANTS -- In order for the Service to schedule a translator for your appointment, you must indicate below language and dialect you require, along with a daytime phone number, and return a copy of this letter to the above address. Without this information, the Service will not be able to conduct your interview.

LANGUAGE AND DIALECT

DAYTIME PHONE

IT IS IMPORTANT THAT YOU KEEP THIS APPOINTMENT AND BRING THIS LETTER WITH YOU.
IF YOU ARE UNABLE TO DO SO, STATE YOUR REASON, SIGN BELOW AND RETURN THIS LETTER.

WARNING:

IF YOU CONSIDER DEPARTING FROM THE UNITED STATES TO ANY COUNTRY, INCLUDING CANADA OR MEXICO, BEFORE A DECISION IS MADE ON YOUR APPLICATION, CONSULT WITH THIS OFFICE BEFORE DEPARTURE SINCE A DEPARTURE FROM THE UNITED STATES WILL RESULT IN TERMINATION OF YOUR APPLICATION.

I am unable to keep the appointment because:

SIGNATURE	DATE
-----------	------

Attorney Name: Bedis Zormati
Attorney Address: 1 East Wacker Dr. #2700
Chicago, IL 60601-



U. S. Department of Homeland Security
Bureau of Citizenship and Immigration Services

PRESENT THIS LETTER AT THE WORTH STREET ENTRANCE

Bedis ZORMATI

100 Pelham RD Apt 6D

New Rochelle, NY 10805

File Number: A78297325

Date: 7/16/2003

Please come to the office shown below at the time and place indicated in connection with an official matter.

OFFICE LOCATION	26 FEDERAL PLAZA NEW YORK, NY 10278	Room No. 8-800	Floor No. 8TH
DATE AND HOUR	3/29/2004 9:00:00 AM		
ASK FOR	IMMIGRATION EXAMINER		
REASON FOR APPOINTMENT	ADJUSTMENT OF STATUS		
BRING WITH YOU	SEE ATTACHMENTS		

IT IS IMPORTANT THAT YOU KEEP THIS APPOINTMENT AND BRING THIS LETTER WITH YOU.
IF YOU ARE UNABLE TO DO SO, STATE YOUR REASON, SIGN BELOW AND RETURN THIS LETTER.

WARNING:

IF YOU CONSIDER DEPARTING FROM THE UNITED STATES TO ANY COUNTRY, INCLUDING CANADA OR MEXICO, BEFORE A DECISION IS MADE ON YOUR APPLICATION, CONSULT WITH THIS OFFICE BEFORE DEPARTURE SINCE A DEPARTURE FROM THE UNITED STATES WILL RESULT IN TERMINATION OF YOUR APPLICATION.

I am unable to keep the appointment because:

SIGNATURE	DATE
-----------	------

Attorney Name: Bedis Zormati

Attorney Address: One East Wacker Drive#2700

Chicago, IL 60601-

Very truly yours,

Mary Ann Gantner
Interim Director
New York District

*Fingerprint appointment forward to applicant.



Receipt Number: MSC-07-073-21346		Case Type: I-130 - Petition for Alien Relative	
Received Date: December 11, 2006	Priority Date:	Petitioner: FULLAM, STEPHANIE	
Notice Date: December 14, 2006	Page 1 OF 1	Beneficiary: A078297325 ZORMATI, BEDIS	

STEPHANIE FULLAM
100 PELHAM RD APT 6D
NEW ROCHELLE NY 10805

Notice Type:
Receipt Notice
Amount Received:
\$190.00

The above application/petition has been received. Please notify us immediately if any of the above information is incorrect. Information about your local office processing times may be obtained by calling the NCSC at 1-800-375-5283. If you find it necessary to contact this office in writing, you must include a copy of this receipt notice with your inquiry.



If you have questions, you may call the BCIS National Customer Service Center at 1-800-375-5283. For TDD hearing impaired assistance, please call 1-800-767-1833.

If you have Internet access, you can visit the Bureau of Citizenship and Immigration Services website at www.BCIS.gov where you can find valuable information about forms, filing instructions, and immigration services and benefits.

U S BUREAU OF CITIZENSHIP AND IMMIGRATION SERVICES

P.O. Box 648005

Lee's Summit, MO 64064

National Customer Service Center: 1-800-375-5283



5231812

0004137817

Form 1-797C (Rev. 01/31/05) N



Receipt Number: MSC-07-073-21344		Case Type: I-485 - Application to Register Permanent Residence or Adjust Status	
Received Date: December 11, 2006	Priority Date:	Applicant: A078297325 ZORMATI, BEDIS	
Notice Date: December 14, 2006	Page 1 OF 1	ASC Code: 3	

BEDIS ZORMATI
100 PELHAM RD/APT 6D
NEW ROCHELLE, NY 10805

Notice Type:	Receipt Notice
Amount Received:	\$395.00

The above application has been received. Please notify us immediately if any of the above information is incorrect. If you find it necessary to contact this office in writing, you must include a copy of this receipt notice with your inquiry.

BIOMETRICS-

The next step is to have your biometrics taken, if required, at a U.S. Citizenship and Immigration Services (USCIS) Application Support Center (ASC).

PLEASE NOTE-

USCIS WILL SCHEDULE YOUR BIOMETRICS APPOINTMENT. You will be receiving an appointment notice with a specific time, date and place where you will have your fingerprints and/or photos taken.

WHAT TO BRING TO Your appointment -

- Please bring this letter and your photo identification to your appointment. Acceptable kinds of photo identification are:
- a passport or national photo identification issued by your country,
 - a driver's license,
 - a military photo identification, or
 - a state-issued photo identification card.

If you do not bring this letter and photo identification, we cannot process you.

Please bring a copy of all receipt notices received from USCIS in relation to your current application for benefits.

CASE STATUS-

Information about your local office processing times may be obtained by calling the NCSC at 1-800-375-5283.

If you have Internet access, you can visit the United States Citizenship and Immigration Services website at www.USCIS.gov where you can find valuable information about forms, filing instructions, and immigration services and benefits.

U. S. Citizenship and Immigration Services

P.O. Box 648005

Lee's Summit, MO 64064

National Customer Service Center: 1-800-375-5283



5231812

0004137817

Form I-797C (Rev. 01/31/05) N



REQUEST FOR APPLICANT TO APPEAR FOR INITIAL INTERVIEW		NOTICE DATE January 12, 2007
CASE TYPE FORM I-485, APPLICATION TO REGISTER PERMANENT RESIDENCE OR ADJUST STATUS	PRIORITY DATE December 11, 2006	AM A-078 297 325
APPLICATION NUMBER MSC0707321344	RECEIVED DATE December 11, 2006	PAGE 1 of 1
BEDIS ZORMATI 100 PELHAM RD APT 5B NEW ROCHELLE NY 10805		
<p>You are hereby notified to appear for the interview appointment, as scheduled below, for the completion of your Application to Register Permanent Residence or Adjust Status (Form I-485) and any supporting applications or petitions. <u>Failure to appear for this interview and/or failure to bring the below listed items will result in the denial of your application. (8 CFR 103.2(b)(3))</u></p> <p><u>Who should come with you?</u></p> <p><input checked="" type="checkbox"/> If your eligibility is based on your marriage, your husband or wife must come with you to the interview.</p> <p><input type="checkbox"/> If you do not speak English fluently, you should bring an interpreter.</p> <p><input type="checkbox"/> Your attorney or authorized representative may come with you to the interview.</p> <p><input type="checkbox"/> If your eligibility is based on a parent/child relationship and the child is a minor, the petitioning parent and the child must appear for the interview.</p> <p>*NOTE: Every adult (over 18 years of age) who comes to the interview must bring Government-issued photo identification, such as a driver's license or ID card, in order to enter the building and to verify his/her identity at the time of the interview. You do not need to bring your children unless otherwise instructed. Please be on time, but do not arrive more than 45 minutes early. We may record or videotape your interview.</p> <p><u>YOU MUST BRING THE FOLLOWING ITEMS WITH YOU:</u> (Please use as a checklist to prepare for your interview)</p> <p><input checked="" type="checkbox"/> This Interview Notice and your Government issued photo identification.</p> <p><input checked="" type="checkbox"/> A completed medical examination (Form I-693) and vaccination supplement in a sealed envelope (unless already submitted).</p> <p><input checked="" type="checkbox"/> A completed Affidavit(s) of Support (Form I-864) with all required evidence, including the following, for each of your sponsors (unless already submitted):</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Federal Income Tax returns and W-2's, or certified IRS printouts for the past 3 years; <input checked="" type="checkbox"/> Letters from each current employer, verifying current rate of pay and average weekly hours, and pay stubs for the past 2 months; <input checked="" type="checkbox"/> Evidence of your sponsor's and/or co-sponsor's United States Citizenship or Lawful Permanent Resident status. <input checked="" type="checkbox"/> Any immigration-related documentation ever issued to you, including any Employment Authorization Document (EAD) and any Authorization for Advance Parole (Form I-512). <input checked="" type="checkbox"/> All travel documents used to enter the United States, including Passports, Advance Parole documents (I-512) and I-94s (Arrival/Departure Document). <input checked="" type="checkbox"/> Your Birth Certificate. <input checked="" type="checkbox"/> Your petitioner's Birth Certificate and your petitioner's evidence of United States Citizenship or Lawful Permanent Resident Status. <input type="checkbox"/> If you have children, bring a Birth Certificate for each of your children. <input checked="" type="checkbox"/> If your eligibility is based on your marriage, in addition to your spouse coming to the interview with you, bring: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> A certified copy of your Marriage Document issued by the appropriate civil authority. <input checked="" type="checkbox"/> Your spouse's Birth Certificate and your spouse's evidence of United States Citizenship or Lawful Permanent Resident status; <input checked="" type="checkbox"/> If either you or your spouse were ever married before, all divorce decrees/death certificates for each prior marriage/former spouse; <input type="checkbox"/> Birth Certificates for all children of this marriage, and custody papers for your children and for your spouse's children not living with you; <input checked="" type="checkbox"/> Supporting evidence of your relationship, such as copies of any documentation regarding joint assets or liabilities you and your spouse may have together. This may include: tax returns, bank statements, insurance documents (car, life, health), property documents (car, house, etc.), rental agreements, utility bills, credit cards, contracts, leases, photos, correspondence and/or any other documents you feel may substantiate your relationship. <input checked="" type="checkbox"/> Original and copy of each supporting document that you submitted with your application. Otherwise, we may keep your originals for our records. <input checked="" type="checkbox"/> If you have ever been arrested, bring the related Police Report and the original or certified Final Court Disposition for each arrest, even if the charges have been dismissed or expunged. If no court record is available, bring a letter from the court with jurisdiction indicating this. <input checked="" type="checkbox"/> A certified English translation for each foreign language document. The translator must certify that s/he is fluent in both languages; and that the translation in its entirety is complete and accurate. <p><u>YOU MUST APPEAR FOR THIS INTERVIEW.</u> If an emergency, such as your own illness or a close relative's hospitalization, prevents you from appearing, call the U.S. Citizenship and Immigration Services (USCIS) National Customer Service Center at 1-800-375-5283 as soon as possible. Please be advised that rescheduling will delay processing of application/petition, and may require some steps to be repeated. It may also affect your eligibility for other immigration benefits while this application is pending.</p> <p>If you have questions, please call the USCIS National Customer Service Center at 1-800-375-5283 (hearing impaired TDD service is 1-800-767-1833).</p> <p>PLEASE COME TO: U.S. Citizenship and Immigration Services 26 FEDERAL PLAZA 8TH FLOOR ROOM 800 NEW YORK NY 10278</p>		
ON: Wednesday, March 07, 2007 AT: 08:15 AM		APPLICANT COPY 29

DROBENKO & ASSOCIATES, P.C.

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Walter Drobenko

Ralph Rinello - Paralegal

March 20, 2007

Via: DHL Next Day Delivery

United States Citizenship and Immigration Service
District Adjudications Officer Glenn Kushel
26 Federal Plaza, 8th Floor, Room 800
New York, NY 10278

Re: Requested Documents for Bedis Zornati, (A 078 297 325)

Dear Officer Kushel:

Please be advised that my client Bedis Zornati, was interviewed by you in relation to his application for adjustment of status (I-485). At this interview you requested additional documents be provided, these documents were Certificate of Disposition with raised seal from an arrest on 04/16/2002 and Certified copy of Illinois divorce decree. This request was made on USCIS form I-72.

Based upon this request the following information is attached hereto:

1. Certified Certificate of Disposition from the State of New York, New Rochelle City Court indicating that the charge was withdrawn by the District Attorney.
2. Certified Copy of Illinois Divorce Decree dated and filed on 10/15/1999.
3. Original USCIS form I-72 requesting additional information.

Based upon the information attached hereto Mr. Zornati has complied with all USCIS requests for additional evidence. Subsequently, it is respectfully that Mr. Zornati be granted his lawful permanent residency.

If we can be of further assistance on this matter please feel free to contact us.



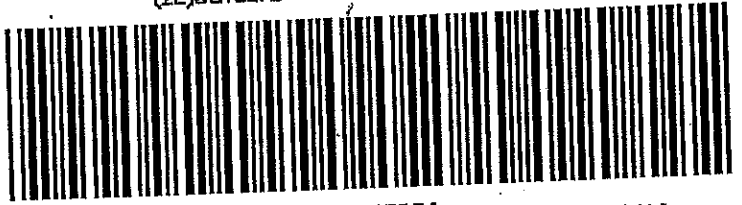
Very truly yours,

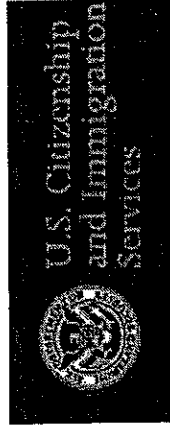
DROBENKO & ASSOCIATES, P.C.

cc: Bedis
c/r/zornati

By



	EXP	Pieces: 1/1
FM: DROBENKO & ASSOCIATES PC W. Drobenko 25 84 STEINWAY ST ASTORIA, NY 11103 UNITED STATES Phone: 718-721-2000		ORIGIN: LGA
To: U.S. CITIZENSHIP & IMMIGRATION SVC DAO GLENN KUSHEL 26 FEDERAL PLAZA 8TH FL / ROOM 800 NEWYORK, NY 10278 UNITED STATES		POSTCODE: 10278
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U.S. Citizenship and Immigration Services

New York City NY Processing Dates

Posted February 15, 2008

The processing times shown below are a tool for our customers to gauge our current processing times. When applications and petitions are completed within our target timeframes, that goal will be shown in the data display.

The processing times shown below are for applications that have just been completed. If you have just filed your application, these timeframes may not reflect how long your application will take to be completed. We encourage you to check this page periodically before inquiring about your case. The processing times are updated monthly.

USCIS has received a significant increase in the number of applications filed. In July and August, nearly 2.5 million applications and petitions of all types were received. This compares to 1.2 million applications and petitions received in the same time period last year. This fiscal year, we received 1.4 million applications for naturalization; nearly double the volume we received the year before. The agency is working to improve processes and focus increased resources, including hiring approximately 1,500 new employees, to address this workload.

As a result, average processing times for certain application types may be longer. In particular, naturalization applications filed after June 1, 2007 may take approximately 16-18 months to process.

We offer a variety of services after you file. For example, for most kinds of cases you can [check the status of your case online](#).

For more information about when and how to contact us, whether your case is outside our processing time or if there are other issues, please see our customer guide –

[Case Services - How do I... know what kind of services are available to me after I file my application or petition?](#)

District Office Processing Dates for **New York City NY** Posted February 15, 2008

Form	Form Name	Processing Timeframe:
I-131	Application for Travel Documents	November 17, 2007
I-485	Application to Register Permanent Residence or Adjust Status	May 14, 2007
I-600	Petition to Classify Orphan as an Immediate Relative	September 11, 2007
I-600A	Application for Advance Processing of Orphan Petition	September 11, 2007
I-765	Application for Employment Authorization	November 30, 2007
N-400	Application for Naturalization	July 20, 2007
N-600	Application for Certification of Citizenship	August 12, 2007